

## **IN THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application.

1-4. (canceled)

5. (currently amended) ~~The~~ An apparatus of ~~claim 2~~, comprising:

a device having a thermal characteristic which is dependent on a number of times the device is accessed over a period of time; and

a controller connected to the device and adapted to control access to the device, wherein the controller is adapted to calculate a temperature estimate of the device and to control access to the device in accordance with the calculated temperature estimate, wherein the controller is adapted to receive an access request, calculate the temperature estimate in accordance with the access request, determine if the temperature estimate exceeds a temperature threshold, and impose an access request budget if the temperature estimate exceeds the temperature threshold,

wherein the controller is adapted to calculate a new access request budget each time the access request budget is imposed.

6. (currently amended) ~~The~~ An apparatus of ~~claim 2~~, comprising:

a device having a thermal characteristic which is dependent on a number of times the device is accessed over a period of time; and

a controller connected to the device and adapted to control access to the device, wherein the controller is adapted to calculate a temperature estimate of the device and to control access to the device in accordance with the calculated temperature estimate, wherein the controller is adapted to receive an access request, calculate the temperature estimate in accordance with the access request, determine if the temperature estimate exceeds a temperature threshold, and impose an access request budget if the temperature estimate exceeds the temperature threshold,

wherein the controller is adapted to calculate a new access request budget periodically.

7. (original) The apparatus of claim 6, wherein the controller is adapted to calculate the new access request budget when a parameter involved in the calculation is updated.

8. (original) The apparatus of claim 7, wherein the updated parameter corresponds to an ambient temperature.

9. (currently amended) ~~The An~~ apparatus of ~~claim 1~~, comprising:  
a device having a thermal characteristic which is dependent on a number of times the device is accessed over a period of time; and  
a controller connected to the device and adapted to control access to the device,  
wherein the controller is adapted to calculate a temperature estimate of the device  
and to control access to the device in accordance with the calculated temperature estimate,  
wherein the controller is adapted to calculate the temperature estimate in accordance with an estimated initial temperature of the device, an estimated equilibrium temperature of the device, and an estimated temperature decay rate for the device.

10. (original) The apparatus of claim 9, wherein the controller is adapted to calculate the temperature estimate in accordance with the following equation:

$$T_n = T_{n-1} - \left[ T_{n-1} - \left( T_a + P_{max} \cdot \theta_{ja} \cdot \frac{1/f_{request}}{\Delta_{update}} \cdot R_{count} \right) \right] \cdot \Delta_{update} \cdot \alpha ;$$

where:  $T_n$  corresponds to the temperature estimate;

$T_{n-1}$  corresponds to a previous temperature estimate;

$T_a$  corresponds to an ambient temperature;

$P_{max}$  corresponds to a maximum device power;

$\theta_{ja}$  corresponds to a junction-to-ambient thermal resistance  
 $f_{request}$  corresponds to an access request frequency (e.g. a clock rate);  
 $\Delta_{update}$  corresponds to an estimator update period;  
 $R_{count}$  corresponds to a number of access requests granted; and  
 $\alpha$  corresponds to a decay rate.

11. (original) The apparatus of claim 9, wherein the controller is adapted to calculate the temperature estimate in accordance with the following equation:

$$T_n = T_{n-1} - [T_{n-1} - (T_a + c_1 \cdot R_{count})] \cdot c_2$$

where:  $T_n$  corresponds to the temperature estimate;

$T_{n-1}$  corresponds to a previous temperature estimate;  
 $T_a$  corresponds to an ambient temperature;  
 $R_{count}$  corresponds to a number of access requests granted;  
 $c_1$  is a first constant; and  
 $c_2$  is a second constant.

12. (original) The apparatus of claim 11, wherein  $c_1$  corresponds to  $(P_{max} * \theta_{ja} * 1/f_{request} / \Delta_{update})$  and  $c_2$  corresponds to  $(\Delta_{update} * \alpha)$ ;

where:  $P_{max}$  corresponds to a maximum device power;

$\theta_{ja}$  corresponds to a junction-to-ambient thermal resistance  
 $f_{request}$  corresponds to an access request frequency (e.g. a clock rate);  
 $\Delta_{update}$  corresponds to an estimator update period;  
 $\alpha$  corresponds to a decay rate.

13-16. (canceled)

17. (currently amended) ~~The A method of claim 14, further comprising:~~  
providing a device having a thermal characteristic which is dependent on a  
number of times the device is accessed over a period of time;  
calculating a temperature estimate of the device;  
controlling access to the device in accordance with the calculated temperature  
estimate;  
receiving an access request;  
calculating the temperature estimate in accordance with the access request;  
determining if the temperature estimate exceeds a temperature threshold;  
imposing an access request budget if the temperature estimate exceeds the  
temperature threshold; and  
calculating a new access request budget each time the access request budget is  
imposed.
18. (currently amended) ~~The A method of claim 14, further comprising:~~  
providing a device having a thermal characteristic which is dependent on a  
number of times the device is accessed over a period of time;  
calculating a temperature estimate of the device;  
controlling access to the device in accordance with the calculated temperature  
estimate;  
receiving an access request;  
calculating the temperature estimate in accordance with the access request;  
determining if the temperature estimate exceeds a temperature threshold;  
imposing an access request budget if the temperature estimate exceeds the  
temperature threshold; and  
calculating a new access request budget periodically.

19. (original) The method of claim 18, the new access request budget is calculated when a parameter involved in the calculation is updated.

20. (original) The method of claim 19, wherein the updated parameter corresponds to an ambient temperature.

21. (currently amended) ~~The A method of claim 43, comprising:~~  
providing a device having a thermal characteristic which is dependent on a  
number of times the device is accessed over a period of time;  
calculating a temperature estimate of the device; and  
controlling access to the device in accordance with the calculated temperature  
estimate.

wherein the calculating comprises calculating the temperature estimate in accordance with an estimated initial temperature of the device, an estimated equilibrium temperature of the device, and an estimated temperature decay rate for the device.

22. (original) The method of claim 21, wherein the temperature estimate is calculated in accordance with the following equation:

$$T_n = T_{n-1} - \left[ T_{n-1} - \left( T_a + P_{max} \cdot \theta_{ja} \cdot \frac{1/f_{request}}{\Delta_{update}} \cdot R_{count} \right) \right] \cdot \Delta_{update} \cdot \alpha ;$$

where:  $T_n$  corresponds to the temperature estimate;

$T_{n-1}$  corresponds to a previous temperature estimate;

$T_a$  corresponds to an ambient temperature;

$P_{max}$  corresponds to a maximum device power;

$\theta_{ja}$  corresponds to a junction-to-ambient thermal resistance

$f_{request}$  corresponds to an access request frequency (e.g. a clock rate);

$\Delta_{update}$  corresponds to an estimator update period;  
 $R_{count}$  corresponds to a number of access requests granted; and  
 $\alpha$  corresponds to a decay rate.

23. (original) The method of claim 21, wherein the temperature estimate is calculated in accordance with the following equation:

$$T_n = T_{n-1} - [T_{n-1} - (T_a + c_1 \cdot R_{count})] \cdot c_2$$

where:  $T_n$  corresponds to the temperature estimate;

$T_{n-1}$  corresponds to a previous temperature estimate;  
 $T_a$  corresponds to an ambient temperature;  
 $R_{count}$  corresponds to a number of access requests granted;  
 $c_1$  is a first constant; and  
 $c_2$  is a second constant.

24. (original) The method of claim 23, wherein  $c_1$  corresponds to  $(P_{max} * \theta_{ja} * 1/f_{request} / \Delta_{update})$  and  $c_2$  corresponds to  $(\Delta_{update} * \alpha)$ ;  
where:  $P_{max}$  corresponds to a maximum device power;

$\theta_{ja}$  corresponds to a junction-to-ambient thermal resistance  
 $f_{request}$  corresponds to an access request frequency (e.g. a clock rate);  
 $\Delta_{update}$  corresponds to an estimator update period;  
 $\alpha$  corresponds to a decay rate.

25-28. (canceled)

29. (currently amended) ~~The A system of claim 26, comprising:~~

a processor;  
a device; and  
a controller connected between the processor and the device,  
wherein the controller is adapted to calculate a temperature estimate of the device  
and to control access to the device in accordance with the calculated temperature estimate,  
wherein the controller is adapted to receive an access request, calculate the  
temperature estimate in accordance with the access request, determine if the temperature  
estimate exceeds a temperature threshold, and impose an access request budget if the temperature  
estimate exceeds the temperature threshold,  
wherein the controller is adapted to calculate a new access request budget each  
time the access request budget is imposed.

30. (currently amended) ~~The~~ A system of claim 26, comprising:  
a processor;  
a device; and  
a controller connected between the processor and the device,  
wherein the controller is adapted to calculate a temperature estimate of the device  
and to control access to the device in accordance with the calculated temperature estimate,  
wherein the controller is adapted to receive an access request, calculate the  
temperature estimate in accordance with the access request, determine if the temperature  
estimate exceeds a temperature threshold, and impose an access request budget if the temperature  
estimate exceeds the temperature threshold,  
wherein the controller is adapted to calculate a new access request budget  
periodically.

31. (original) The system of claim 30, wherein the controller is adapted to calculate  
the new access request budget when a parameter involved in the calculation is updated.

32. (original) The system of claim 31, wherein the updated parameter corresponds to an ambient temperature.

33. (currently amended) ~~The~~ A system of ~~claim 25~~, comprising:  
a processor;  
a device; and  
a controller connected between the processor and the device,  
wherein the controller is adapted to calculate a temperature estimate of the device  
and to control access to the device in accordance with the calculated temperature estimate,

wherein the controller is adapted to calculate the temperature estimate in accordance with an estimated initial temperature of the device, an estimated equilibrium temperature of the device, and an estimated temperature decay rate for the device.

34. (original) The system of claim 33, wherein the controller is adapted to calculate the temperature estimate in accordance with the following equation:

$$T_n = T_{n-1} - \left[ T_{n-1} - \left( T_a + P_{max} \cdot \theta_{ja} \cdot \frac{1/f_{request}}{\Delta_{update}} \cdot R_{count} \right) \right] \cdot \Delta_{update} \cdot \alpha ;$$

where:  $T_n$  corresponds to the temperature estimate;

$T_{n-1}$  corresponds to a previous temperature estimate;

$T_a$  corresponds to an ambient temperature;

$P_{max}$  corresponds to a maximum device power;

$\theta_{ja}$  corresponds to a junction-to-ambient thermal resistance

$f_{request}$  corresponds to an access request frequency (e.g. a clock rate);

$\Delta_{update}$  corresponds to an estimator update period;

$R_{count}$  corresponds to a number of access requests granted; and

$\alpha$  corresponds to a decay rate.



35. (original) The system of claim 33, wherein the controller is adapted to calculate the temperature estimate in accordance with the following equation:

$$T_n = T_{n-1} - [T_{n-1} - (T_a + c_1 \cdot R_{count})] \cdot c_2$$

where:  $T_n$  corresponds to the temperature estimate;

$T_{n-1}$  corresponds to a previous temperature estimate;

$T_a$  corresponds to an ambient temperature;

$R_{count}$  corresponds to a number of access requests granted;

$c_1$  is a first constant; and

$c_2$  is a second constant.

36. (original) The system of claim 35, wherein  $c_1$  corresponds to  $(P_{max} * \theta_{ja} * 1/f_{request} / \Delta_{update})$  and  $c_2$  corresponds to  $(\Delta_{update} * \alpha)$ ;

where:  $P_{max}$  corresponds to a maximum device power;

$\theta_{ja}$  corresponds to a junction-to-ambient thermal resistance

$f_{request}$  corresponds to an access request frequency (e.g. a clock rate);

$\Delta_{update}$  corresponds to an estimator update period;

$\alpha$  corresponds to a decay rate.